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REISSUE APPLICATION DECLARATION BY THE INVENTORS

Docket Number (optional)

100.047US04

As a below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is described and claimed in patent number 5,852,651, granted December 22, 1998, and for which a reissue patent is sought of the invention entitled

CELLULAR COMMUNICATION SYSTEM WITH SECTORIZATION

the specification of which

☒ is attached hereto.

☐ was filed on _____ as reissue application number _____
and was amended on _____
(if applicable)

We have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

We verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below: If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

This reissue application is based on an error that the applicant and applicant's attorney failed to appreciate the full scope of the invention and thus claimed less subject matter than could have been claimed. The issued claims contain limitations that are not essential for practicing the broad teachings of the invention disclosed in the application. Thus, this reissue application is intended as a broadening reissue.

In one example of this error, Applicant failed to fully claim the manner in which RF signals are digitized and transmitted from a base station to a remote unit in the system. This error is demonstrated by comments made by an Examiner in a related application sharing the same specification. The Examiner indicated that:

the prior art fails to teach the combining of analog telephone signals prior to digitization of the signals for transmission over a digital transport link between a base station and remote antenna sites. (See, Notice of Allowance dated 10/17/1996 in US Serial No. 08/410,129).

However, in this related application, applicant failed to claim all the subject matter indicated by the Examiner as allowable. Thus, claims have been included in this reissue application that are directed to aspects of the digitization of signals for transmission between the base station and the remote unit.

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)

100.047US04

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventors, we hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Name	Registration	Name	Registration
Fogg, David N.	35,138	Leffert, Thomas W.	40,697
Lundberg, Scott V.	41,958	Myrum, Tod A.	42,922
Polglaze, Daniel J.	39,801	Slifer, Russell D.	39,838
Walseth, Andrew C.	43,234		

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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of first inventor (given name, family name)

Larry G. Fischer

Inventor's signature

Date

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Full name of third joint inventor (given name, family name)

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☒ Additional joint inventors are named on separately numbered sheets attached hereto.

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REISSUE APPLICATION DECLARATION		ADDITIONAL INVENTOR(S) Supplemental Sheet Page 1 of 3	
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Full name seventh joint inventor (given name, family name)			
Inventor's signature		Date	
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Full name of ninth joint inventor (given name, family name)			
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